

ENVIRONMENTAL REVIEW RECORD

CITY OF READING

BERKS COUNTY

NEIGHBORHOOD STABILIZATION PROGRAM 2

February, 2010

ENVIRONMENTAL REVIEW RECORD

ENVIRONMENTAL DETERMINATION

Categorically Excluded Projects

1. Acquisition/Rehabilitation/Disposition 58.35(b)(7)

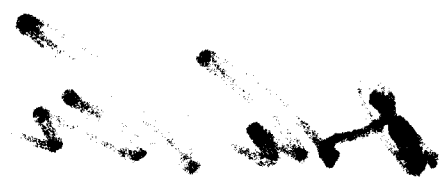
Exempt Projects

1. Administration
2. Homeownership Counseling

City of Reading
NSP 2
Project Description

Acquisition/Rehabilitation/Disposition

The project involves the use of funds to acquire substandard residential structures to be rehabilitated and sold to income qualified homebuyers. This program will take place in Census Tract 10, 11, 12 13 and 18 within the City of Reading. The program conforms to the City's existing, HOME funded, Acquisition, Reading Revitalization OCR Program. The NSP 2 program meets the criteria described in project H09-03 Acquisition, Reading Revitalization OCR (multi-year) which was reviewed in 2009. This was cleared as a multi-year, non-site specific activity in 2009. The NSP 2 funds will act as supplemental funding to this project without any changes to the previously cleared project.

Handwritten signature or initials in dark ink, located in the bottom right corner of the page. The signature appears to be a stylized representation of a name, possibly "J. H. H." or similar, with a horizontal line extending to the right.

Certification of Categorical Exclusion (not subject to 58.5)

Determination of activities listed at 24 CFR 58.35(b)

May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: City of Reading Project Name: NSP 2 Housing Acquisition/Rehabilitation/Resale
Project Description (Include all actions which are either geographically or functionally related):
The program will match the existing HOME funded OCR program by acquiring substandard residential structures, rehabilitating them and then selling them to income qualified homebuyers.

Location: Program area consists of Census Tracts 10,11,12,13, and 18 within the City of Reading
Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Oper. Subsidy Hope VI Other: NSP 2
Funding Amount: \$4,616,968.75 Grant Number: _____

I hereby certify that the abovementioned project has been reviewed and determined to be a Categorical Excluded activity (not subject to 58.5) per 24 CFR 58.35(b) as follows:

	1. Tenant-based rental assistance;
	2. Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services;
	3. Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs;
	4. Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations;
	5. Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title.
	6. Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.
X	7. Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under Sec. 58.47.

If your project falls into any of the above categories, **no** Request for Release of Funds (RROF) is required, and no further environmental approval from HUD will be needed by the recipient for the draw-down of funds to carry out the above activities and projects. The responsible entity must maintain this document as a written record of the environmental review undertaken under this part for each project.

By signing below the Responsible Entity certifies in writing that each activity or project is Categorical Excluded (not subject to 58.5) and meets the conditions specified for such determination per section 24 CFR 58.35(b). Please keep a copy of this determination in your project files.

Dan Robinson, Director
Responsible Entity Certifying Official Name & Title (please print)

Responsible Entity Certifying Official Signature

03-03-2010

Date

(Certifying Official must sign only if this certification is needed to be sent to HUD. A Responsible Entity authorizing signature is allowable otherwise)

24 CFR 58.35(b) - ERR Document

Acquisition/Rehabilitation Program
Multi-Year Activity Approval

NOTE: The City's housing acquisition/rehabilitation/resale program was reviewed in F.Y. 2009 as a multi-year activity described as project Acquisition, Reading Revitalization OCR (multi-year). The City intends to continue this program without change. The City will include NSP 2 funding in addition to HOME funding for this program.

In compliance with CFR-24 58.47, the City of Reading must re-evaluate an assessment finding when:

- (a) It makes substantial changes in the nature, magnitude or extent of the project including adding new activities not anticipated in the original scope of the project and its cost estimate;
- (b) There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued; or
- (c) The recipient selects an alternative not considered in the original EA.

It has been determined that the Acquisition, Reading Revitalization OCR (multi-year) does not meet one of the conditions listed above, therefore, no publication is required and the removal of grant conditions is not necessary.

Refer to F.Y. 2009 ERR for the Assessment of this Program.

A handwritten signature in black ink, appearing to be "J. J. A.", is located at the bottom center of the page.

Acquisition, Reading Revitalization OCR (multi-year)
MULTI-YEAR ACTIVITY

1. Project Description

2. Grant Year - FY 2010

Project involves acquisition of residential property with intent to rehabilitate the units and sell to low/mod income households.

3. Level of Environmental Clearance

a. Exemption

b. X Categorically Excluded

c. Environmental Assessment/FONSI

4. Date of original environmental review and grant year

Fiscal Year 2009

5. Date of publication of notices (as relevant)

January 25, 2009

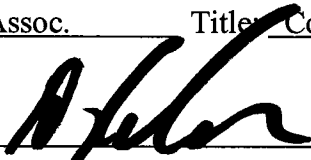
6. Effective date of Notice of Removal of Grant Conditions (as relevant)

February 26, 2009

Prepared by: Mullin & Lonergan Assoc. Title: Community Development Consultants

Date: March 1, 2009

Approval by certifying officer: _____

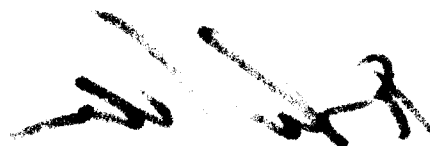


**City of Reading
NSP 2 Program
Project Description**

Administration and Planning

NSP Administration

Funds for general NSP program administration and management.

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STATUTORY CHECKLIST

A. Are all activities of this project Exempt from NEPA procedures? ☒ Yes ☐ No. If "Yes" attach supporting documentation, including citations to applicable Subsections of 58.34(a) (I)-(II), and complete Other Requirements Checklist (58.6). Sign and date below and keep this form in the Project ERR. Remaining portions of this Checklist need not be filled out. Do not initiate RROF procedures. Funds may be obligated for this exempt project. If "No" respond to question B.

- B.
1. Is this a Categorical Excluded (CE) project not subject to 58.5 [58.35(b)]? ☐ Yes ☐ No. If "Yes" attach supporting documentation, including citations to applicable subsections of 58.35(b). Sign and date below and keep this form in the project ERR. Remaining portions of the Checklist need not be filled out. Do not initiate RROF procedures. Funds may be obligated for this project after signing and dating this form and completing Other Requirements Checklist. If "No" then go to question B.2.
 2. Is this a CE project [58.35(a)] subject to 58.5 authorities? ☐ Yes ☐ No. If "Yes" then document by specific reference to Section 58.35(a) why this project qualifies as a CE and respond to question B.3. If "No" then go to question C.
 3. Does project meet Compliance Threshold? ☐ Yes ☐ No. If "Yes" perform all action as per relevant compliance requirements, complete columns B and C, sign and date form, and complete Other Requirements Checklist, then initiate RROF procedures. If "No" complete columns A & C; project is Exempt under 58.24(a)(12), do not initiate RROF procedures, and funds may be obligated after signing and dating this form and completing Other Requirements Checklist.
- C. Does this project require an Environment Assessment (EA)? ☐ Yes ☐ No. If "Yes" fill out this Checklist, document all determinations and compliance with other laws and authorizes, as necessary, sign and date it and make it part of the project ERR, complete Other Requirements Checklist and prepare an EA. Even if EA has already been completed, 24 CFR part 58, Subpart H procedures cannot be initiated until all determinations and compliance processes have been completed. Some theoretically CE projects may be deemed by the responsible entity, because of their environmental effect, to warrant either an EA or Environmental Impact Statement.

Project Name and Identification No. Administration/Planning

AREA OF STATUTORY OR REGULATORY COMPLIANCE	A NO CIRCUMSTANCE REQUIRING COMPLIANCE	B DATE COMPLIANCE ACHIEVED	C REFERENCE TO NOTES PROVIDING DOCUMENTATION, SOURCES, AND EXPLANATION OF CHECKED BOXES.
Historic Properties			
Floodplain Management			
Wetlands Protection			
Coastal Zone			
Sole Source Aquifers			
Endangered Species			
Wild & Scenic Rivers			
Air Quality			
Farmlands Protection			
Noise (24 CFR 51B)			
Hazardous Facilities (24 CFR 51C)			
Airports [except for Clear Zone Notification of 24 CFR 51D 303(a)(3)]			
Toxic Chemicals & Radioactive Materials 24 CFR 58.5(i)(2)			
Environmental Justice (Executive Order 12898)			

Prepared by: Mullin and Lonergan Associates, Inc.

Title: Community Development Consultants

Date: 2-01-2010

Approved by: 

Title: _____

Date: _____

Determination of Exemption for HUD funded projects

Determination of activities not subject to 24 CFR 58.34(a)

May be subject to provisions of Sec 58.6, as applicable

Grantee Name: City of Reading
Grant Number: _____
Project Address: _____
Project Description: Administration/Planning
(see program summary on previous page)
Funding Source(s): LHC Lead Demo CDBG HOME ESG HOPWA EDI Other NSP 2
Funding Amount(s): \$350,000

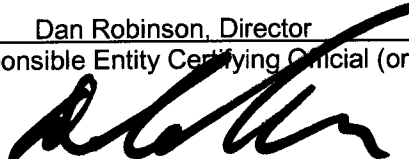
I hereby certify that the abovementioned project has been reviewed and determined an Exempt activity per 24 CFR 58.34(a) as follows:

	1. Environmental and other studies, resource identification and the development of plans and strategies;
	2. Information and financial services;
X	3. Administrative and management activities;
	4. Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
	5. Inspections and testing of properties for hazards or defects;
	6. Purchase of insurance;
	7. Purchase of tools;
	8. Engineering or design costs;
	9. Technical assistance and training;
	10. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
	11. Payment of principal and interest on loans made or obligations guaranteed by HUD;
	12. Any of the categorical exclusions listed in Sec. 58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in Sec. 58.5.

If your project falls into any of the above categories, you do not have to submit a Request for Release of Funds (RROF), and no further approval from HUD will be needed by the recipient for the draw-down of funds to carry out exempt activities and projects. However, the responsible entity must still document in writing its compliance with and/or applicability of "other requirements" per 24CFR58.6 (included with this document).

By signing below the Responsible Entity certifies in writing that each activity or project is exempt and meets the conditions specified for such exemption under section 24 CFR 58.34(a). Please keep a copy of this determination in your project files.

Dan Robinson, Director
Responsible Entity Certifying Official (or designee) Name & Title (please print)


Responsible Entity Certifying Official (or designee) Signature

02-01-2010
Date

Other Requirements (Section 58.6) Checklist

PROJECT NAME: Administration and Planning

GRANT NUMBER: _____

In addition to the duties under the laws and authorities specified in 58.5 for assumption by Responsible Entities (RE) under the laws cited in 58.1 (b), RE's must comply with the following requirements. Applicability of the following requirements does not trigger the certification and release of funds procedure under this part or preclude exemption of an activity under 58.34 (a)(12) and/or the applicability of 58.35(b). However, the RE remains responsible for addressing the following requirements in its ERR and meeting these requirements, where applicable, regardless of whether the activity is exempt under 58.34 or categorically excluded under 58.35(a) or (b).

(a) Federal Flood Insurance Purchase Requirements (do not apply to funds from Federal formula grants made to a State).

- (1) Does the project involve acquisition or construction (including rehabilitation) in a community identified by the Federal Emergency Management Agency (FEMA) as having special flood hazard areas (100 year and 500 year floodplains)? Yes ____ No X If "Yes", go to (a)(2). If "No", go to Question (b).
- (2) Is the project located in 100 year floodplain (500 year floodplain for "critical" actions*)? Yes ____ No ____ If "Yes", go to (a)(3). If "No", go to Question (b).
- (3) Is the community in which the project is located () participating in the National Flood Insurance Program or, () has less than a year passed since FEMA notified the community concerning such hazards. (Please check one of the above depending on the situation). Yes ____ No ____ If "Yes", attach a statement concerning how you will assure that flood insurance will be maintained in accordance with the "Flood Insurance Protection" guidance sheet attached to this Checklist and go to Question (b). The implementation of this project consistent with your statement must be made a condition on the environmental findings and recommendations for the project. If "No", project cannot be funded.

(b) Coastal Barriers Resources

Is the project to be undertaken located in the Coastal Barrier Resources System, as amended by the Coastal Barrier

Improvement Act of 1990 (16 U.S.C. 3501)? Yes ____ No X If "Yes", Federal financial assistance may not be provided. If "No", then go to Question (c).

(c) Projects located in Close Proximity to Airports Contained on the HUD List of 24 CFR Part 51D Covered Airports.

Does the project involve assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone as defined in 24 CFR Part 51D? Yes ____ No X If "Yes", the buyer must be advised that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information. The implementation of this requirement must be made a condition in the environmental review findings and recommendations for this project.

Prepared by: Mullin & Lonergan Associates, Inc.

Title: Community Development Consultant

Date: February 1, 2010

*As defined in the U.S. Water Resources Council's Floodplain Management Guidelines for Implementing Executive Order 11988.

**City of Reading
NSP 2 Program
Project Description**

Homeownership Counseling

Our-City Reading

Funds will be utilized to provide homeownership counseling for income qualified homebuyers.

The Reading Housing Authority

Funds will be utilized to provide homeownership counseling for income qualified homebuyers.

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STATUTORY CHECKLIST


A. Are all activities of this project Exempt from NEPA procedures? ☒ Yes ☐ No. If "Yes" attach supporting documentation, including citations to applicable Subsections of 58.34(a) (I)-(II), and complete Other Requirements Checklist (58.6). Sign and date below and keep this form in the Project ERR. Remaining portions of this Checklist need not be filled out. Do not initiate RROF procedures. Funds may be obligated for this exempt project. If "No" respond to question B.

- B.
4. Is this a Categorical Excluded (CE) project not subject to 58.5 [58.35(b)]? ☐ Yes ☐ No. If "Yes" attach supporting documentation, including citations to applicable subsections of 58.35(b). Sign and date below and keep this form in the project ERR. Remaining portions of the Checklist need not be filled out. Do not initiate RROF procedures. Funds may be obligated for this project after signing and dating this form and completing Other Requirements Checklist. If "No" then go to question B.2.
 5. Is this a CE project [58.35(a)] subject to 58.5 authorities? ☐ Yes ☐ No. If "Yes" then document by specific reference to Section 58.35(a) why this project qualifies as a CE and respond to question B.3. If "No" then go to question C.
 6. Does project meet Compliance Threshold? ☐ Yes ☐ No. If "Yes" perform all action as per relevant compliance requirements, complete columns B and C, sign and date form, and complete Other Requirements Checklist, then initiate RROF procedures. If "No" complete columns A & C; project is Exempt under 58.24(a)(12), do not initiate RROF procedures, and funds may be obligated after signing and dating this form and completing Other Requirements Checklist.
- D. Does this project require an Environment Assessment (EA)? ☐ Yes ☐ No. If "Yes" fill out this Checklist, document all determinations and compliance with other laws and authorizes, as necessary, sign and date it and make it part of the project ERR, complete Other Requirements Checklist and prepare an EA. Even if EA has already been completed, 24 CFR part 58, Subpart H procedures cannot be initiated until all determinations and compliance processes have been completed. Some theoretically CE projects may be deemed by the responsible entity, because of their environmental effect, to warrant either an EA or Environmental Impact Statement.

Project Name and Identification No. Homeownership Counseling

AREA OF STATUTORY OR REGULATORY COMPLIANCE	A NO CIRCUMSTANCE REQUIRING COMPLIANCE	B DATE COMPLIANCE ACHIEVED	C REFERENCE TO NOTES PROVIDING DOCUMENTATION, SOURCES, AND EXPLANATION OF CHECKED BOXES.
Historic Properties			
Floodplain Management			
Wetlands Protection			
Coastal Zone			
Sole Source Aquifers			
Endangered Species			
Wild & Scenic Rivers			
Air Quality			
Farmlands Protection			
Noise (24 CFR 51B)			
Hazardous Facilities (24 CFR 51C)			
Airports [except for Clear Zone Notification of 24 CFR 51D 303(a)(3)]			
Toxic Chemicals & Radioactive Materials 24 CFR 58.5(i)(2)			
Environmental Justice (Executive Order 12898)			

Prepared by: Mullin and Lonergan Associates Title: Community Development Consultants Date: 2-01-2010

Approved by:  Title: _____ Date: _____

Determination of Exemption for HUD funded projects

Determination of activities not subject to 24 CFR 58.34(a)

May be subject to provisions of Sec 58.6, as applicable

Grantee Name: City of Reading
Grant Number: _____
Project Address: _____
Project Description: Homeownership Counseling
(see program summary on previous page)
Funding Source(s): LHC Lead Demo CDBG HOME ESG HOPWA EDI Other NSP 2
Funding Amount(s): \$33,031.25

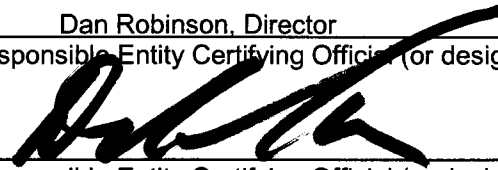
I hereby certify that the abovementioned project has been reviewed and determined an Exempt activity per 24 CFR 58.34(a) as follows:

	1. Environmental and other studies, resource identification and the development of plans and strategies;
	2. Information and financial services;
	3. Administrative and management activities;
X	4. Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
	5. Inspections and testing of properties for hazards or defects;
	6. Purchase of insurance;
	7. Purchase of tools;
	8. Engineering or design costs;
	9. Technical assistance and training;
	10. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
	11. Payment of principal and interest on loans made or obligations guaranteed by HUD;
	12. Any of the categorical exclusions listed in Sec. 58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in Sec. 58.5.

If your project falls into any of the above categories, you do not have to submit a Request for Release of Funds (RROF), and no further approval from HUD will be needed by the recipient for the draw-down of funds to carry out exempt activities and projects. However, the responsible entity must still document in writing its compliance with and/or applicability of "other requirements" per 24CFR58.6 (included with this document).

By signing below the Responsible Entity certifies in writing that each activity or project is exempt and meets the conditions specified for such exemption under section 24 CFR 58.34(a). Please keep a copy of this determination in your project files.

Dan Robinson, Director
Responsible Entity Certifying Officer (or designee) Name & Title (please print)


Responsible Entity Certifying Official (or designee) Signature

02-01-2010
Date

Other Requirements (Section 58.6) Checklist

PROJECT NAME: Housing Counseling

GRANT NUMBER: _____

In addition to the duties under the laws and authorities specified in 58.5 for assumption by Responsible Entities (RE) under the laws cited in 58.1 (b), RE's must comply with the following requirements. Applicability of the following requirements does not trigger the certification and release of funds procedure under this part or preclude exemption of an activity under 58.34 (a)(12) and/or the applicability of 58.35(b). However, the RE remains responsible for addressing the following requirements in its ERR and meeting these requirements, where applicable, regardless of whether the activity is exempt under 58.34 or categorically excluded under 58.35(a) or (b).

(a) Federal Flood Insurance Purchase Requirements (do not apply to funds from Federal formula grants made to a State).

- (1) Does the project involve acquisition or construction (including rehabilitation) in a community identified by the Federal Emergency Management Agency (FEMA) as having special flood hazard areas (100 year and 500 year floodplains)? Yes ____ No X If "Yes", go to (a)(2). If "No", go to Question (b).
- (2) Is the project located in 100 year floodplain (500 year floodplain for "critical" actions*)? Yes ____ No ____ If "Yes", go to (a)(3). If "No", go to Question (b).
- (3) Is the community in which the project is located () participating in the National Flood Insurance Program or, () has less than a year passed since FEMA notified the community concerning such hazards. (Please check one of the above depending on the situation). Yes ____ No ____ If "Yes", attach a statement concerning how you will assure that flood insurance will be maintained in accordance with the "Flood Insurance Protection" guidance sheet attached to this Checklist and go to Question (b). The implementation of this project consistent with your statement must be made a condition on the environmental findings and recommendations for the project. If "No", project cannot be funded.

(b) Coastal Barriers Resources

Is the project to be undertaken located in the Coastal Barrier Resources System, as amended by the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501)? Yes ____ No X If "Yes", Federal financial assistance may not be provided. If "No", then go to Question (c).

(c) Projects located in Close Proximity to Airports Contained on the HUD List of 24 CFR Part 51D Covered Airports.

Does the project involve assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone as defined in 24 CFR Part 51D? Yes ____ No X If "Yes", the buyer must be advised that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information. The implementation of this requirement must be made a condition in the environmental review findings and recommendations for this project.

Prepared by: Mullin & Lonergan Associates, Inc.

Title: Community Development Consultants

Date: February 1, 2010

*As defined in the U.S. Water Resources Council's Floodplain Management Guidelines for Implementing Executive Order 11988.